

ASSISTANT CLERK: (Read record vote. See page 2101 of the Legislative Journal.) The vote is 34 ayes, 5 nays, 3 present and not voting, 7 excused and not voting.

SPEAKER WITHEM: LB 397 passes. Would announce to the body that we will now, as is indicated on the agenda, go to a Senator Bernard-Stevens motion considering the reconsideration of the passage of LB 609. If that motion is successful, we will then follow, I believe, Mr. Clerk, if proper under the rules, we would then follow with a vote on the passage of LB 609. The bill has already been read on Final Reading. I would also point out to the body that this is a consent calendar bill. We will be operating under the 15-minute rule that we have for consent calendar bills. With that understanding, Senator Bernard-Stevens, you're recognized to open on your motion.

SENATOR BERNARD-STEVENS: Thank you, Senator Withem. LB 609 is a bill that was of little controversy as it went through. Senator Wesely has some concerns from the Lincoln Airport Authority and has consistently been voting against the bill. In talking with Senator Wesely, Don is even going to support us on the reconsideration motion because of the circumstances when the bill came up. The bill, in essence, allows for private airports that are for public use to be able to tap into the funds that they help fund by their fuel taxes that they have to pay, those taxes go into a fund and that fund is used for airport...for airport improvement, such as runway extensions and safety features as well. The airports that are involved, there are about six in the entire state of which only four may qualify and I say may qualify. They still have to meet all the same standards as everyone else. There is an amendment that was put on the bill that for some reason one of the private airports became private in use that any monies would have to be returned back to the state fund. In other words, as long as it was for public use that would be appropriate. There is also an amendment that Senator Wesely put on in regard to eminent domain which did not give them the right of eminent domain which we agreed to. The day that the bill came up for Final Reading, unfortunately, there were only 33 members here that day. And there were a few, about 7 members who did not vote so when you subtract 7 from 33 it makes it pretty difficult to pass a bill. And the bill would have passed, I'm convinced, with everyone here. It does take 30 votes for the reconsideration. I would appreciate the opportunity to have 30 votes to reconsider and